PATENT OFFICE RECEIVED CENTRAL FAX CENTER

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ZUUU PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031 U.S. Petent and Tradement Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are mounted to mesoned to a reflection of information unless it displays a valid OME control number. Application Number 10/712,795 Filing Date TRANSMITTAL 11/13/2003 First Named Inventor FORM Rosanne M. Crooke Art Unit Examiner Name Janet Epps-Ford (to be used for all correspondence after initial filing) Attomey Docket Number DOC-0216US Total Number of Peges in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(a) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please identify • Terminal Disclaimer Extension of Time Request below): 37 C.F.R. 1.48(a) Statement, Statement Request for Refund Express Abandonment Request Under 37 C.F.R. 3.73(b), Statement Confirming no Deceptive Intent, Declaration CD, Number of CD(s)_ Information Disclosure Statement pursuant to 37 C.F.R. 1.63, Copy of Office Communication, and Application Data Sheet Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature Printed name Frances R. Putkey, Ph.D. Date Reg. No. March 3. 2000 57,257 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Pamela Grooms Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Petent and Trademark Office, U.S. Department of Commence, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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RECEIVED **CENTRAL FAX CENTER**

MAR 0 3 2006

Application No: 10/712,795

Attorney Docket No: DOC-0216US

I certify that this correspondence is being facsimile transmitted to the USPTO, or is being deposited with the U.S. postul Service as First Class mail in an envelope addressed to the Commissioner for Patente, P.O. Box 1450, Alexandria, VA 22313-

In re Application of: Crooke, et al.

Application No:

10/712,795

Filed:

November 13, 2003

For: ANTISENSE MODULATON OF APOLIPOPROTEIN B EXPRESSION

REQUEST TO CORRECT INVENTORSHIP

Pursuant to 37 C.F.R. §1.48(a)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This paper is in reply to the Office Communication mailed on November 4, 2005, stating that the Petition to Correct Inventorship under 37 C.F.R. §1.48(a) filed May 20, 2005 does not comply with 37 C.F.R. §1.48(a)(3). Applicants submit herewith Petition to Correct Inventorship, pursuant to 37 C.F.R. §1.48(a), and in compliance with 37 C.F.R. §1.48(a)(3), to have Susan M. Freier added as a named inventor to the above-identified non-provisional application.

Susan M. Freier is a citizen of the United States of America, residing in San Diego, California; USA.

Applicants submit that the inventorship error occurred without deceptive intent on the part of the omitted inventor.

The inventors of U.S. Patent Application No. 10/712, 795 should be listed as follows:

→ PATENT OFFICE

Application No: 10/712,795

Attorney Docket No: DOC-0216US

Rosanne M. Crooke, Mark J. Graham, Kristina Lemonidis Tarbet, Kenneth W. Dobie and Susan M. Freier.

Included herewith are: a Statement from the Assignee pursuant to 37 C.F.R. §1.48(a), a Statement under 37 C.F.R. 3.73(b), a Statement Confirming No Deceptive Intent on the part of the inventor, a Declaration pursuant to 37 C.F.R. §1.63, a copy of the Office Communication, and an Application Data Sheet.

Applicants believe that no fee is due with this paper as it is in response to the Office Communication mailed November 4, 2005. However, the Director is hereby authorized to charge fees due with the filing of this paper to the Isis Pharmaceuticals, Inc., Deposit Account 50-0252 referencing docket no. DOC-0216US.

Dated: March 3, 2006

Respectfully submitted,

Frances R. Putkey, Rb.D.

Registration No: 57,257

Isis Pharmaceuticals, Inc. 1896 Rutherford Rd.

Carlsbad, CA 92008-7208

Application No: 10/712,795

Attorney Docket No: DOC-0216US

In re Application of:

RECEIVED **CENTRAL FAX CENTER**

Crooke, et al.

MAR 0 3 2006

Application No: 10/712,795

Filed: November 13, 2003

For: ANTISENSE MODULATION OF APOLIPOPROTEIN B EXPRESSION

STATEMENT FROM ASSIGNEE Pursuant to 37 C.F.R. §1.48(a)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

I hereby assert that I am authorized to act on behalf of the assignee, Isis Pharmaceuticals Inc., 1896 Rutherford Road, Carlsbad, California, 92008, the owner of the entire right, title and interest in U.S. Patent Application No. 10/712,795 (see attached Statement under 37 C.F.R. § 3.73(b)). I further hereby assert that the assignee agrees to the inventorship change in U.S. Patent Application No; 10/712,795 to the following inventive entity:

Rosanne M. Crooke, Mark J. Graham, Kristina Lemonidis Tarbet, Kenneth W.

Dobie, Susan M. Freier,

Signed this 2nd day of February, 2006 by

Grantland E. Bryce

Vice President and General Counsel

Isis Pharmaceuticals, Inc.

1896 Rutherford Rd.

Carlsbad, CA 92008-7208

→ PATENT OFFICE RECEIVED **CENTRAL FAX CENTER**

MAR 0 3 2006

PTO/\$B/96 (09-04)

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U.S. Palent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to reapond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)			
Applicant/Petent Owner: Isls Pharmacueticals, Inc.			
Application No./Patent No.: 10/712,795 Filed/Issue Date: 11/13/2003			
Entitled: ANTISENSE MODULATON OF APOLIPOPROTEIN B EXPRESSION			
(Name of Assignee) Someoration Comporation			
states that it is: 1. the assignee of the entire right, title, and interest; or			
an assignee of less than the entire right, title and interest. The extent (by percentage) of its ownership interest is %			
in the patent application/patent identified above by virtue of either:			
An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 18972 & 15476 Frame 189 & 619 or for which a copy thereof is attached.			
OR B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:			
From: To: The document was recorded in the United States Patent and Trademark Office at			
The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.			
2. Fram:To:			
The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.			
3. From:			
The document was recorded in the United States Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.			
Additional documents in the chain of title are listed on a supplemental sheet.			
Copies of assignments or other documents in the chain of title are attached. [NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]			
The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.			
Signature Date			
Grantland E. Bryce, Esq. 760 931-9200			
Printed or Typed Name Telephone Number			
Vice President and General Counsel Title			

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to fite (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Pelant and Trademark Office, U.S. Department of Corrneros, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Docket No.: 30566/39634

→ PATENT OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 0 3 2006

In re Application of:

Rosanne M. Crooke et al.

Application No.: 10/712,795

Filed: November 13, 2003

Art Unit: 1636

Confirmation No.: 6394

For: ANTISENSE MODULATION OF

APOLIPOPROTEIN B-EXPRESSION

Examiner: Not Yet Assigned

STATEMENT CONFIRMING NO DECEPTIVE INTENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir or Madam:

I, Susan M. Freier, hereby state that I am to be added as an inventor to United States Patent Application No. 10/712,795, along with fellow inventor Rosanne M. Crooke, Mark J. Graham, Kristina Lemonidis Tarbet, and Kenneth W. Dobie, and I further state that the error in omitting me from being listed as an inventor occurred without deceptive intent on my part and without deceptive intent on the part of Isis Pharmaceuticals Inc., and without deceptive intent on the part of the currently named inventors.

Signed this 20 day of April, 2005 by Dun M Freu:



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PTC/SB/01A (09-04)

Approved for use through 07/31/2006. OMB 0851-0032
U.S. Palant and Tradamark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN **APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	ANTISENSE MODULATON OF APOLIPOPROTEIN B EXPRESSION			
		2		
As the belo	w named inventor(s), I/we declare that:			
This declara	ation is directed to:			
	The attached application, or			
	Application No. <u>10/712,795</u> filed on <u>11/13/2003</u>			
	as amended on(if applicable);			
I/wa belleve sought;	e that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent i	8		
I/we have n	eviewed and understand the contents of the above-identified application, including the claims, as amended by an t specifically referred to above;	y		
I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.				
All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.				
FULL NAME	E OF INVENTOR(S)	_		
Inventor one	e; Rosanne M. Crooke			
Signature:	Resigning M. Clore Citizen of: United States			
Inventor two	o: Mark J. Graham			
Signature: _	Man Q. Citizen of: United States	_		
Inventor thre	ee: Kristina Lemonidis Tarbet	_		
Signature: _	Klluoudus taubet Citizen of: United States	-		
Inventor fou	r: Kenneth W. Dobie			
Signature: _	Citizen of: Great Britain	•		
Addition of	onal Inventors or a legal representative are being named on 1 additional form(s) attached hereto.			
(and by the HS	of Information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to fill	a		

(and by the USPTO to process) on application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1 minute to complete, including gathering, properting, and submitting the completed application form to the USPTO. Time will vary depending upon the included case. Any comments on the amount of time you require to complete this form end/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Petert and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissionar for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DECLARATION FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET **Additional Page**

Application No : 10/712,795	Filing Date: 11/13/2003	_
First Named Inventor: Rosanne M. Crooke	Docket No: DOC-0216US	-
	<u> </u>	
FULL NAME OF INVENTOR(S)		
Inventor : Susan M. Freier		
Signature: Duan M Frence	Citizen of: United States	_
Inventor:		
Signature:	Citizen of:	_
Inventor :		
Signature:	Citizen of:	_
Inventor :		
Signature:	Citizen of:	
Inventor :		
Signature:	Citizen of;	_
Inventor :		
Signature:		_
Inventor :		
Signature:	Citizen of:	_
Inventor :		
Signature:	Citizen of:	_
Inventor :		
Signature:	Citizen of:	_
Inventor :		
Signature:		_

MAR 0 3 2006

PTO/SB/01A (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN **APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	ANTISENSE MODULATON OF APOLIPOPROTEIN B EXPRESSION				
As the below	w named inventor(s), I/we declare that:				
This declar	ation is directed to:				
	The attached application, or				
	Application No. <u>10/712,795</u> , filed on <u>11/13/2003</u> ,				
	as amended on(If applicable);				
I/we believe sought;	that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is				
	eviewed and understand the contents of the above-identified application, including the claims, as amended by any specifically referred to above;				
material to became ava	wiedge the duty to disclose to the United States Patent and Trademark Office all information known to meAus to be patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which allable between the filing date of the prior application and the national or PCT International filing date of the i-in-part application.				
All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.					
FULL NAME	OF INVENTOR(S)				
Inventor one	e; Rosanne M. Crooke				
Signature: _	Citizen of: United States				
Inventor two	; Mark J. Graham				
Signature: _	Citizen of: United States				
Inventor three: Kristina Lemonklis Tarbet					
Signature: _	Cittzen of: United States				
Inventor four	Kenneth W. Doble				
Signature: _	Manual Zone Citizen of: Great Britain				
✓ Addhic	onal Inventors or a legal representative are being named on				
(and by the US	if information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file PTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is astimated to take 1				

minute to complete, including gathering, preparing, and submitting the completed epitication form to the USPTO. Three will very depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burder, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissionar for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

DECLARATION FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET **Additional Page**

Application No :10/712,795	Filing Date: 11/13/2003
First Named Inventor: Rosanne M. Crooke	Docket No: DOC-0216US
FULL NAME OF INVENTOR(S)	
Inventor : Susan M. Freier	
Signature:	Citizen of: United States
Inventor :	
Signature:	Citizen of:
Inventor:	
Signature:	Citizen of:
Inventor:	
Signature:	Citizen of:
Inventor:	
Signature:	Cltizen of:
Inventor :	
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Signature:	Citizen of:
Inventor:	
Signature:	Citizen of:
Inventor :	
Signature:	Citizen of:





United States Patent and Trademark Office

DOC-021645

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Alternative Verbig 77111-1422

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PPLICATION NO.	FILINO DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFERMATION
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		٠.	DATE MAILED: 11/04/200	5 ·

Please find below and/or attached an Office communication concerning this application or proceeding.

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PATENT DEPT.



PTO-90C (Rev. 10/03)





UNITED STATES DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

APPLICATION NO.J CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR I PATENT IN REEXAMINATION		ATTORNEY DOCKET NO.
•				EXAMINER
			ART UNIT	PAPER
				20051006

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The Petition to Correct Inventorship under 37 CFR § 1.48(a) filed 5-23-2005 does not comply with 37 CFR § 1.48(a)(3), which requires an oath or declaration by the actual inventor or inventors as required by §1.63 or as permitted by §§ 1.42, 1.43 or § 1.47. The combined declaration provided by Applicants submitted with the Petition included only the signature of Susan Freier, however, none of the other inventors Rossans Crooke, Mark Graham, Kristina Lemonidia, or Kenneth Dobie signed the declaration submitted by Applicants.

DAVE TRONG NGUYEN SUPERVISORY PATENT EXAMINER

> Janet L. Epps-Ford Examiner Art Unit: 1633

PTO-90C (Rev.04-03)

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MAR 0 3 2006

APPLICATION DATA SHEET

Application Information

10/712,795
11/13/2003
Regular
Utility
YES
YES
1
ANTISENSE MODULATION
OF APOLIPOPROTEIN B
EXPRESSION
DOC-0216US
NO
NO
YES
YES
PETITION TO CORRECT
INVENTORSHIP

Applicant Information

Inventor
United States
Full Capacity
Rosanne
M.
Crooke
Carlsbad
California
United States
3211 Piragua Street
Carlsbad
California
United States
92009

Applicant Authority Type::	Inventor
Primary Citizenship Country::	United States
Status::	Full Capacity
Given Name::	Mark
Middle Name::	J.
Family Name::	Graham
Name Suffix::	
City of Residence::	San Clemente
State or Province of Residence::	California
Country of Residence::	United States
Street of Mailing Address::	2305 S. Ola Vista
City of Mailing Address::	San Clemente
State or Province of Mailing Address::	California
Country of Mailing Address::	United States
Postal or Zip Code of Mailing Address::	92672

Applicant Authority Type::	Inventor
Primary Citizenship Country::	United States
Status::	Full Capacity
Given Name::	Kristina
Middle Name::	Lemonidis
Family Name::	Tarbet
Name Suffix::	
City of Residence::	Oceanside
State or Province of Residence::	California
Country of Residence::	United States
Street of Mailing Address::	1652 Seattle Slew Way
City of Mailing Address::	Oceanside
State or Province of Mailing Address::	California
Country of Mailing Address::	United States
Postal or Zip Code of Mailing Address::	92057

Applicant Authority Type::	Inventor
Primary Citizenship Country::	Great Britain
Status::	Full Capacity .
Given Name::	Kenneth
Middle Name::	W.
Family Name::	Dobie
Name Suffix::	
City of Residence::	Del Mar
State or Province of Residence::	California
Country of Residence::	United States
Street of Mailing Address::	703 Stratford Ct. #4
City of Mailing Address::	Del Mar
State or Province of Mailing Address::	California
Country of Mailing Address::	United States
Postal or Zip Code of Mailing Address::	92014

Applicant Authority Type::	Inventor	
Primary Citizenship Country::	United States	
Status::	Full Capacity	
Given Name::	Susan	
Middle Name::	M	
Family Name::	Freier	
Name Suffix::		
City of Residence::	San Diego	
State or Province of Residence::	California	
Country of Residence::	United States	
Street of Mailing Address::	2946 Renault Street	
City of Mailing Address::	San Diego	
State or Province of Mailing Address::	California	
Country of Mailing Address::	United States	
Postal or Zip Code of Mailing Address::	92122	

Correspondence Information

Correspondence Customer Number::	55,389	
Phone Number::	619 235-8550	
Fax Number::	619 235-0176	
E-Mail Address::	mfuller@kmob.com	

Representative Information

Representative Customer No.::	1 EE 200 1
TODO CADITALIVE CASALITIES INC	1 55.309 1
	1 00,000

Domestic Priority Information

Application ::	Continuity Type::	Parent Application::	Parent Filing Date::
This Application	An application claiming the benefit under 35 USC 119(e)	60/426,234	11/13/2002
This Application	Continuation-in- Part of	PCT/US03/15493	05/15/2003

Assignee Information

Assignee name::

Isis Pharmaceuticals, Inc.

Street of mailing

address::

1896 Rutherford Rd.

City of mailing

Carlsbad

address::

State or Province of

California

mailing address:: Country of mailing

United States

address::

Postal or Zip Code of

92008

mailing address::